

MR. ELWOOD H. JONES JR.  
A339-441 D-5-27  
878 COITSVILLE-HUBBARD RD.  
YOUNGSTOWN, OH 44505-4635

MR. GARY W. CRIM  
-ATTORNEY AT LAW-  
943 MANHATTEN AVE.  
DAYTON, OH 45406-5141

DECEMBER 20, 2006

**RECEIVED**

MR. MICHAEL L. MONTA  
-ATTORNEY AT LAW-  
3625 OLD SALEM ROAD  
DAYTON, OH 45415-1427

DEC 28 2006

MICHAEL R. MERZ  
U.S. MAGISTRATE JUDGE

DEAR MR. CRIM, MR. MONTA:

IN RESPONSE TO YOUR BRIEF LETTER OF DECEMBER 11, 2006, AND THE ENCLOSED COPY OF THE STATE'S REPLY TO YOUR MOTION FOR AN EVIDENTIARY HEARING IN THIS CASE AND A COPY OF THE CHIEF MAGISTRATE JUDGE MERZ, DECISION AND ORDER GRANTING THE MOTION FOR EVIDENTIARY HEARING ON DECEMBER 8, 2006.

FIRST LET ME EXPRESS I AM VERY PLEASED WITH CHIEF MAGISTRATE JUDGE MERZ'S DECISION TO GRANT ME A HEARING. I AM PERSONALLY LOOKING FORWARD TO BE PRESENT IN FEDERAL COURT IN THE COMING MONTHS OF THE NEW YEAR 2007, TO ASSIST AND DEMONSTRATE TO THE COURT...HOW THE WITHHELD FACTUAL EVIDENCE FOUND WITHIN THE BLUE ASH POLICE AND PROSECUTOR'S FILES ARE RELEVANT IN SHOWING HAMILTON COUNTY PROSECUTORS ACTIONS TO WITHHOLD EXONERATORY AND IMPEACHABLE EVIDENCE, PUT MY TRIAL ATTORNEYS MR. SANKS AND MS. ADAMS AT A DISADVANTAGE IN REPRESENTING ME THROUGHOUT THE COURSE OF MY TRIAL, NOR DID I RECEIVE A FAIR TRIAL.

MR. CRIM, MR. MONTA, THIS IS THE FIRST STEP IN ME GETTING MY LIFE AND FREEDOM BACK. SO I AM REQUESTING THAT THE COURT BE FURNISHED WITH AN ABSOLUTE CLEAR RECORD OF ALL THE FACTS NECESSARY AND RELEVANT TO ANY AND ALL CLAIMS UPON WHICH SUPPORT RELIEF IN MY CASE, BY WAY OF OPEN COURTROOM TESTIMONY OF MY TRIAL ATTORNEYS AND OTHER WITNESSES I REQUESTED.

I AM REQUESTING THAT YOU MAKE **NOTICES** TO THE COURT ASKING THAT HAMILTON COUNTY PROSECUTOR'S OFFICE MAKE AVAILABLE COPIES OF THE SAID FAMILY PHOTOS OF MS. NATHAN WEARING THE ALLEGED GOLD PENDANT USED IN THIS CASE.

A. COPIES OF THE ALLEGED GOLD PENDANT "SUPPOSEDLY FOUND IN THE TOOL BOX IN THE TRUNK OF MY CAR BY BLUE ASH OFFICER BRAY ON SEPTEMBER 14, 1994.

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B. COPIES OF ANY AND ALL FAMILY PHOTOS OF MS. NATHAN WEARING THE ALLEGED GOLD PENDANT IN QUESTION AND WAS PRESENTED TO THE JURY AS MS. NATHAN'S PENDANT.

C. COPIES OF ANY AND ALL FAMILY PHOTOS AND PHOTOS SHOWING MS. NATHAN WEARING THE ALLEGED GOLD PENDANT THAT HAS BEEN ALTERED TO HELP CONVINCE JURORS THAT HAMILTON COUNTY PROSECUTOR'S OFFICE HAD THAT SAME PENDANT, BLUE ASH OFFICER BRAY REFERRED TO IN A LETTER TO HAMILTON COUNTY PROSECUTOR PIEPMAYER, FOUND WITHIN THE PROSECUTOR'S FILE BATES STAMPED #0000894 AND #0000895, WHICH READS IN PART TO HAMILTON COUNTY PROSECUTOR PIEPMAYER:

MR. PIEPMAYER,

SINCE I LAST MET WITH YOU WE HAVE CONTINUED OUR EFFORTS TO ASSIST YOU IN PRESENTING PROOF OF ELWOOD "BUTCH" JONES ROLE IN THE MURDER OF RHODA MATHAN.

I HOPE TO HAVE OPPORTUNITY TO MEET WITH YOU AGAIN PERSONALLY TO SHARE THE RESULTS OF OUR EFFORT. THIS IS UNLIKELY, AS I AM LEAVING TOWN TOMORROW AND WILL BE GONE THROUGH MON. 10/16/95. I'M TOLD BY SGT. SCHAFER THAT YOU WILL LIKELY BE GRANTED DISCOVERY MON. 10/16/95.

THE PROBLEM YOU MUST CLARIFY WITH THE COURT IS ACCEPTING THE INCORRECT PLACEMENT OF THE PHOTO SCALE/RULE BY THE PATHOOGIST, AND DEMONSTRATING HOW GREAT OF AN ERROR THAT CAN CAUSE. THE RULE WAS SO FAR OUT OF PLACE THAT THE F.B.I. TECHNICIAN COULD NOT USE IT TO OBTAIN AN ACCURATE RECTIFICATION OF THE BRUISE. THEY EVENTUALLY RECTIFIED THE IMAGE BY MEASURING THE ACTUAL FEATURES OF THE RADIO. USING THIS AS THE KNOWN, THE IMAGE WAS EASILY BROUGHT INTO ACCURATE DIMENSION. (MY CONCERN IS THAT THE DEFENSE MAY ARGUE THATWE ALTERED THE PHOTO).

AS YOU CAN SEE IN THE ENLARGED RECTIFIED IMAGE, WHAT WAS ORIGINALLY A 6" RULE IS NOW APPROX. 9" WHEN THE BRUISE IS CORRECTED.

ROB PARIS PHOTOGRAPHY WAS ENLISTED TO CREATE AN ENLARGEMENT OF RHODA NATHAN WEARING THE NECKLACE/PENDANT, WHEREIN THE ACTUAL RECOVERED PENDANT COULD BY OVERLAYED ON THE PHOTO AT ACTUAL SIZE. I THOUGHT THAT THIS MIGHT HELP CONVINCE JURORS THAT WE DO HAVE THAT VERY NECKLACE. AGAIN, ANY SLIGHT VARIATIONS WILL ALSO BE DUE TO PERSPECTIVE DISTORTION. (OBSERVE THE ANGLE FROM WHICH THIS ORIGIONAL PHOTO WAS TAKEN OF MS. NATHAN).

MARK, THIS CASE HAS BEEN A TREMENDOUS LEARNING EXPIRIENCE FOR ME. IF I HADN'T BEEN AN AMATURE PHOTOGRAPHER WITH A SOLID WOKING KNOWLEDGE OF THE SCIENCE, I WOULD HAVE NOT KNOWN OR UNDERSTOOD ALL OF THIS. YOU MAY WELL BY MORE KNOWLEDGEABLE THAN ME IN THIS AREA! AT ANY RATE, WE KNOW THAT THE F.B.I. HAS PEOPLE WITH THE CREDNTIALS TO EXPLAIN THIS TO THE COURT.

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I HOPE THIS EXPLINATION OF THE RESULTS OF THE WASHINGTON D.C. EFFCRT HELPS. I WILL BE AVAILABLE AFTER MON. 10/16 IF YOU WISH TO DISCUSS ANY OF THIS FURTHER. (745-8563)

ALSO, THE PHOTOS YOU HAVE ARE NOW INCLUDED AS ARTICLES OF ORIGINAL EVIDENCE. CHAIN OF CUSTODY LABELS ON BOX."

D. NOW WHAT I PLAN ON DOING WITH COPIES OF THESE ALLEGED FAMILY PHOTOS OF MS. NATHAN WEARING THE PENDANT IN QUESTIONS:

1. UPON HAMILTON COUNTY PROSECUTOR'S OFFICE MAKING AVAILABLE COPIES OF ALL PHOTOS USED IN THIS CASE SHOWING MS. NATHAN WEARING THE ALLEGED GOLD PENDANT IN QUESTION DURING THE SAID HEARING [IS TO SHOW THE COURT MS. NATHAN'S SON AND DAUGHTER-IN-LAW NEVER IDENTIFIED HIS MOTHER'S PENDANT FROM THE FAMILY PHOTOS AS THE ONE IN QUESTION SUPPOSEDLY FOUND IN THE TOOLBOX OF MY CAR BY OFFICER BRAY ON SEPTEMBER 14, 1994. INSTEAD VAL NATHAN'S IDENTIFIED A SIMILAR PENDANT IN STYLE FROM A SMALL SNAPSHOT PHOTO.

2. MR. CRIM, I NEED COPIES OF THE PHOTOS USED DURING MY TRIAL IN MAKING THE CASE TO THE COURT HAMILTON COUNTY PROSECUTORS MISLEAD THE COURT AND THE JURY IN THIS CASE CONCERNING THE PENDANT IN QUESTION.

MR. CRIM, AND MR. MONTA SINCE EITHER ONE OF YOU HAVE YET TO ADDRESS MY CONCERNs AND REQUEST FROM MY LETTER OF NOVEMBER 1, 2006, I AM GOING TO REQUEST AGAIN SINCE NOW I HAVE BEEN GRANTED A HEARING:

E. HAVE MR. DORING GO BACK TO THE HAMILTON COUNTY CORONER'S LAB AND RE-INTERVIEW TECHNICIANS BILL DEAN, MIKE TRIMPE, JOAN DAWSON BURKE, CONCERNING THE TEST RESULTS #ID NO. 252, ON SEPTEMBER 15, 1994, ELWOOD JONES JR. GAVE BLOOD AND IT WAS SENT TO "MICROBIOLOGY REFERENCE LAB" 3645 CENTRAL PARKWAY, CINCINNATI, OHIO 45223 - TO BE TESTED FOR HEPATITUS "B". THE TEST RESULTS UNDER ID NO. 252 FOR ELWOOD H. JONES JR. CAME BACK 'NEGATIVE' FOR HEPATITUS "B", THE QUESTION SHOULD BE... WHO ORDERED THIS TEST DONE.? AND WAS A COPY OF THE TEST RESULTS TURNED OVER TO THE HAMILTON COUNTY PROSECUTOR'S OFFICE AS PART OF THE CASE FILE IN THIS CASE?

F. HAVE MR. DORING GO BACK AND RE-INTERVIEW POTENTIAL WITNESSES AND GET AFFIDAVITS TO SUPPORT MY CLAIMS OF DETECTIVE JOHN LADD OF THE BLUE ASH POLICE DEPARTMENT AS TO WHAT HE DID WITH THE INFORMATION GENERATED FROM INTERVIEWING DEMETRIUE WILLIAMS AND NORMAN RYAN DESCRIBING A "DARK COMPLEXION BLACK GUY" AND A "WHITE GUY WITH GRAY HAIR," LEAVING MS. NATHAN'S ROOM, WHERE UPON SCREAMS WERE HEARD, ONE OF THE GUYS HAS A WALKIE-TALKIE IN HIS HAND THAT MORNING LEAVING MS. NATHAN'S ROOM, AND DID HE SHARE THIS INFORMATION WITH THE HAMILTON COUNTY

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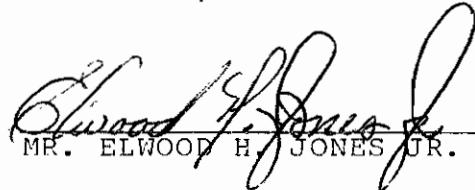
PROSECUTOR'S OFFICE AS A PART OF HIS "CASE FILES" DURING THE INVESTIGATION OF THE MURDER OF MS. NATHAN THAT OCCURRED ON 9/3/94, BETWEEN 7:30 A.M. AND 8:00 A.M. AT THE EMBASSY SUITES HOTEL.

G. I AM REQUESTING THAT YOU HAVE MR. DORING ALSO GET AN AFFIDAVIT FROM MR. L. STRIGARI AND MR. J. DETERMAN CONCERNING THEIR MEETING WITH TWO FORMER BLUE ASH OFFICERS, DAVE HOFFMAN AND JOE SCHURE, CONTACT JOSEPH L. DETERMAN CHIEF INVESTIGATOR FOR THE HAMILTON COUNTY PUBLIC DEFENDER'S OFFICE AND TOLD HIM THEY HAVE SOME INFORMATION CONCERNING ELWOOD H. JONES JR.'S CASE MAYBE HELPFUL AND A MEETING WAS SET UP FOR THE FORMER BLUE ASH OFFICERS TO COME INTO THE OFFICE ON JUNE 14, 2001, THE TWO FORMER BLUE ASH OFFICERS, DAVE HOFFMAN AND JOE SCHURE STATED TO MR. STRIGARI AND MR. DETERMAN WHILE IN THE LOCKER ROOM CHANGING CLOTHES. A CONVERSATION AROSE FROM ANOTHER OFFICER "CONCERNING THE SEARCH AND FINDING OF THE PENDANT," STATING OFFICER STOKES' SEARCHED JONES' CAR PRIOR TO GETTING A WARRANT. HE FOUND THE PENDANT AND THEN DRAFTED THE SEARCH WARRANT. AFTER BACKING AWAY FROM FINDING THE PENDANT FRO ANOTHER OFFICER TO FIND.

NOW IF THE ABOVE AFFIDAVITS CANNOT BE DONE FOR SOME REASON OR ANOTHER, THEN I AM REQUESTING THAT THE **FOLLOWING** PEOPLE NAMED BE ADDED TO THE LIST OF **WITNESSES** TO APPEAR BEFORE THE COURT ON MY BEHALF ARE THRU-SATELLITE T.V.: #1. MR. LOUIS STRIGARI, #2. MR. JOSEPH R. DETERMAN, #3. DAVE HOFFMAN AND #4. JOE SCHURE.

AS I BRING THIS TO A CLOSE FOR NOW, AGAIN I HOPE THAT WE CAN WORK TOGETHER AND RESPECT EACH OTHER'S VIEWS -- EVEN IF WE DON'T ALWAYS AGREE WITH ONE ANOTHER. COMMUNICATION, UNDERSTANDING AND HONESTY IS **ALL** I AM ASSKING FOR AS A CLIENT.

SINCERELY,

  
MR. ELWOOD H. JONES JR.

CC: COURT  
FILE